

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737
Phone: (301) 734-8684
Fax: (301) 734-4328

RESPONDENT:	
<u>1st Address</u>	<u>2nd Address</u>
City of Lufkin P.O. Drawer 190 Lufkin, TX	<u>Registered Agent:</u> Gordon Henley City of Lufkin Ellen Trout Zoo 402 Zoo Circle Lufkin, TX

CASE NUMBER TX09078-AC

DUE ON OR BEFORE June 24, 2011
CONTACT [REDACTED]
PHONE [REDACTED]

DATE	CITATION	DESCRIPTION
17-DEC-2007	9 C.F.R. § 3.127(d)	Facilities, outdoor. Perimeter fence. Respondent failed to have a perimeter fence that was constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from having contact with the animals in the facility. Stray dogs were able to enter the facility and cause the deaths of five blackbuck antelope.
12-FEB-2009	9 C.F.R. §2.131(b)(1)	Handling of Animals. Respondent failed to handle animals as carefully as possible, in a manner that does not cause trauma, excessive cooling, physical harm, or unnecessary discomfort. An employee stepped away from the enclosure of the Malayan Tapir, and left the enclosure gate open, allowing the animal to escape from its enclosure resulting in the death of one female blackbuck antelope and minor injuries to two others. See Attached Page Page 1 of 2

PENALTY \$ 18,107.

TERMS

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent:

Date:

PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

DATE	CITATION	DESCRIPTION
05-AUG-2009	9 C.F.R. § 3.127(d)	Facilities, outdoor. <i>Perimeter fence.</i> Respondent failed to have a perimeter fence that was constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from having contact with the animals in the facility. A stray dog was able to enter the facility and caused the deaths of a peahen and a female duiker, and caused injuries to a crane, two deer, and a wallaby.